State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER D-562-39
Relating to Exemptions under Section 27156 and 38391
of the Vehicle Code

Valina, Inc. (d.b.a. CarTex)
"Series 21000 Three-way Catalytic Converters"

WHEREAS, Vehicle Code Sections 27156 and 38395, and Title 13, California Code of Regulations (hereafter "CCR") Section 2222(h), authorize the California Air Resources Board and its Executive Officer to exempt new aftermarket catalytic converters from the prohibitions of Vehicle Code Section 27156 and 38391.

WHEREAS, Valina, Inc. (Valina) of 4560 Worth Street, Los Angeles, California 90069, has applied to the Air Resources Board for exemption from the prohibitions in Vehicle Code Sections 27156 and 38391 to market its new aftermarket Series 21000 three-way catalytic converters (TWC) on 1995 and older model year non-on-board diagnostic II (non-OBD II) passenger cars equipped with a single or dual exhaust system with one catalytic converter per exhaust bank, and categorized as PC-1. The catalytic converter was previously bench-aged for OBD II applications as Series 13300 TWC. Series 21000 TWC may be sold as a universal or direct fit system.

WHEREAS, pursuant to the authority vested in the Executive Officer by Health and Safety Code Section 39515 and in the Chief, Mobile Source Operations Division by Health and Safety Code Section 39516 and Executive Order G-02-003, the Air Resources Board finds that the above aftermarket catalytic converters comply with the California Vehicle Code Sections 27156 and 38395 and Title 13, California Code of Regulations, Section 2222(h). Emission performance of the catalytic converter was based on durability bench-aging by Umicore Automotive Catalysts USA using the Air Resources Board-modified RAT-A bench-aging cycle for 75 hours as specified in Appendix A to the "California Evaluation Procedures for New Aftermarket Catalytic Converters" as adopted on October 25, 2007.

WHEREAS, previous emissions and OBD II compatibility tests conducted at Automotive Testing and Development Services, Inc., Ontario, California, using a 2000 3.8L Chevrolet Camaro equipped with a single exhaust system and certified to the passenger car and low emission vehicle standards (PC/LEV; worst-case vehicle for category PC-1) showed that the vehicle met the applicable standards with Series 21000 installed.

THEREFORE, IT IS HEREBY RESOLVED that Valina, Inc.'s Series 21000 TWC is exempted from the prohibitions in Vehicle Code Sections 27156 and 38391 for installation on appropriate PC-1 non-OBD II cars subject to the following conditions:

1. No changes are permitted to the catalytic converters as described in the application for exemption. Any changes to the catalytic converters or any of their components, and other factors addressed in this order must be evaluated and approved by the Air Resources Board prior to marketing in California.

2. Marketing of the catalytic converters using identifications other than those shown in the exemption application, and in this Executive Order, or marketing of the catalytic converters for application other than the ones shown in this Executive Order shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of these products shall not be construed as an exemption to sell, offer for sale, or advertise any components of the catalytic converters as individual devices.

3. Any oral or written references to this Executive Order or its content by Valina, Inc., its principals, agents, employees, distributors, dealers, or other representatives must include the disclaimer that the Executive Order or the exemption it provides is not an endorsement or approval of any emission reduction claims for the catalytic converters and is only a finding that the catalytic converters are exempt from the prohibitions of Vehicle Code Sections 27156 and 38391.

4. Valina, Inc.'s installation instructions for the new catalytic converters must conform to requirements in Section (h) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted October 25, 2007.

5. Installation of the catalytic converters shall not cause the relocation of an oxygen sensor. Oxygen sensors must be installed in the same location, position and orientation as prescribed in the original equipment manufacturer's configurations.

6. Upon installation, the catalytic converters must carry a manufacturer's warranty for five (5) years or 50,000 miles as prescribed in Section (f)(2) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted October 25, 2007.

7. Valina, Inc. and its vendors may not advertise the new aftermarket catalytic converters as "high flow or easy flow" catalytic converters or use any phrase that could make them appear to perform better than the original equipment manufacturer (OEM) catalytic converters.

8. Any marketing arrangement of the new aftermarket catalytic converter by a third party, which involves the use of packaging identification different from the ones described in this Executive Order, must be approved by the Air Resources Board prior to shipment.

9. Valina, Inc., its associates, vendors, other businesses and individuals associated with Valina, Inc. may not sell or supply new aftermarket catalytic converter substrates to a third party to be assembled in a different facility and marketed under this Executive Order without approval from the Air Resources Board.

10. Valina, Inc. shall comply with the quality control procedures and reporting requirements in Section (f)(5) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted October 25, 2007.

11. Quality control reports must be submitted on a quarterly basis and warranty information reports on a semi-annual basis, starting with periods covering January 1 through March 31, 2010 and January 1 through June 30, 2010, respectively.

12. Valina, Inc. must provide a permanent label or stamp as specified under Section (f)(1) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted on October 25, 2007.

13. Valina, Inc.'s vehicle application catalog must conform with the requirements specified under Section (f)(4) of the "California Evaluation Procedures for New Aftermarket Catalytic Converters," as adopted on October 25, 2007.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a 30-day written notice of intention to revoke it, during which period the holder of the order may request in writing a hearing to contest the proposed revocation. If a hearing is requested, it shall be held within 30 days of receipt of the request, and the order may not be revoked until a determination is made, after the hearing, that grounds for revocation exist.

Executed at El Monte, California, this 16 day of December 2009.

Annette Hebert, Chief
Mobile Source Operations Division